

**MINUTES OF THE STANDING COMMITTEE
ON LOCAL GOVERNMENT AND URBAN POLICY**

Thursday, June 8, 2006

9:00 a.m.

Room 519, House Office Building

Chair Stakoe called the Standing Committee on Local Government and Urban Policy to order.

MEMBERS PRESENT: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

MEMBERS ABSENT/EXCUSED: None (0/11)

Representative Van Regenmorter, supported by **Representative Robertson**, moved to adopt the minutes from the meeting held on May 11, 2006. Hearing no objection, the **motion prevailed** with unanimous consent.

The **Chair** laid **House Bills 6045** and **6046** before the committee.

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| HB 6045 | Taub | Local government; other; purchase of state land; allow local governments to partner with private investors. |
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| HB 6046 | Farrah | Local government; other; purchase of land under the jurisdiction of the department of natural resources; allow. |
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Representative Taub explained the intent of **House Bill 6045** and a proposed **Substitute (H-2)**, and answered questions.

Representative Farrah explained the intent of **House Bill 6046** and a proposed **Substitute (H-2)**.

Tom Hickson, representing the Michigan Association of Counties, testified in **support** of the bills.

Tom Frazier, representing the Michigan Townships Association, testified in **support** of the **concept** of the bills.

Kate Madigan, representing the Michigan Environmental Council, testified on the bills and answered questions.

Representative Taub returned to the testimony table to answer additional questions concerning **House Bill 6045**.

Monique Field, representing the Michigan Department of Management and Budget, testified in opposition to **House Bill 6045** and answered questions.

Mick Reilly, representing the Michigan Department of Attorney General, testified on the bills and answered questions.

Steve Transeth, from the Michigan Legislative Service Bureau, answered questions on the bills.

Rodney Stokes, representing the Michigan Department of Natural Resources, testified in **opposition to House Bill 6046, as written.**

Bret Totoraitis, representing the Michigan Department of Attorney General, testified on the bills and answered questions.

Erin McDonough, representing the Michigan United Conservation Clubs, testified in **opposition to House Bill 6045.**

Representative Elsenheimer, supported by **Representative Robertson**, moved to adopt **Substitute (H-2) to House Bill 6045.**

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed.**

Representative Baxter, supported by **Representative Elsenheimer**, moved to adopt the following amendment to **House Bill 6045 (H-2):**

1. Amend page 2, line 25, after “**APPLY.**”, by inserting “**FOR A LOCAL UNIT OF GOVERNMENT TO QUALIFY FOR THIS SUBSECTION, THE PROPERTY FOR SALE HAS TO BE LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE LOCAL UNIT OF GOVERNMENT.**”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed.**

Representative Elsenheimer, supported by **Representative Baxter**, moved to adopt the following amendment to **House Bill 6045 (H-2):**

1. Amend page 3, line 24, by striking out all of subsection (9) and inserting:

“(9) THE FAIR MARKET VALUE OF THE PROPERTY SHALL BE DETERMINED BY AN APPRAISAL PREPARED BY A QUALIFIED INDEPENDENT APPRAISER SELECTED BY THE DEPARTMENT. THE FAIR MARKET VALUE SHALL BE BASED ON THE HIGHEST AND BEST USE OF THE PROPERTY. IF A LOCAL UNIT OF GOVERNMENT HAS TAKEN ACTION TO CHANGE ZONING, LAND USE, OR OTHER APPLICABLE REGULATION THAT WOULD HAVE A NEGATIVE IMPACT ON VALUE WITHIN 3 YEARS BEFORE THE DATE THE PROPERTY WAS DECLARED SURPLUS TO THE TIME OF THE SALE, THE HIGHEST AND BEST USE SHALL NOT TAKE SUCH NEGATIVE IMPACT INTO CONSIDERATION IN DETERMINING THE FAIR MARKET VALUE.”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Van Regenmorter, supported by **Representative Robertson**, moved to report **House Bill 6045**, with recommendation, as **Substitute (H-3)**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker (7/11)

NAYS: Reps. Accavitti, Donigan, Virgil Smith (3/11)

PASS: Rep. Vagnozzi (1/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Elsenheimer, supported by **Representative Nitz**, moved to adopt **Substitute (H-2)** to **House Bill 6046**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Baxter, supported by **Representative Elsenheimer**, moved to adopt the following amendment to **House Bill 6046 (H-2)**:

1. Amend page 2, line 23, after “**APPLY.**”, by inserting “**FOR A LOCAL UNIT OF GOVERNMENT TO QUALIFY FOR THIS SUBSECTION, THE PROPERTY FOR SALE HAS TO BE LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE LOCAL UNIT OF GOVERNMENT.**”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Elsenheimer, supported by **Representative Robertson**, moved to adopt the following amendment to **House Bill 6046 (H-2)**:

1. Amend page 3, line 22, by striking out all of subsection (8) and inserting:

“(8) THE FAIR MARKET VALUE OF THE PROPERTY SHALL BE DETERMINED BY AN APPRAISAL PREPARED BY A QUALIFIED INDEPENDENT APPRAISER SELECTED BY THE DEPARTMENT. THE FAIR MARKET VALUE SHALL BE BASED ON THE HIGHEST AND BEST USE OF THE PROPERTY. IF A LOCAL UNIT OF GOVERNMENT HAS TAKEN ACTION TO CHANGE ZONING, LAND USE, OR OTHER APPLICABLE REGULATION THAT WOULD HAVE A NEGATIVE IMPACT ON VALUE WITHIN 3 YEARS BEFORE THE DATE THE PROPERTY WAS DECLARED SURPLUS TO THE TIME OF THE SALE, THE HIGHEST AND BEST USE SHALL NOT TAKE SUCH NEGATIVE IMPACT INTO CONSIDERATION IN DETERMINING THE FAIR MARKET VALUE.”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Van Regenmorter, supported by **Representative Robertson**, moved to report **House Bill 6046**, with recommendation, as **Substitute (H-3)**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker (7/11)

NAYS: None (0/11)

PASS: Reps. Accavitti, Donigan, Vagnozzi, Virgil Smith (4/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

The **Chair** laid **House Bill 6116** before the committee.

HB 6116 Stakoe Counties; other; abandoned bicycles; allow to be donated to a licensed charity.

Chair Stakoe explained the intent of the bill.

Undersheriff Mike McCabe, representing Oakland County Sheriff Michael Bouchard, testified in **support** of the bill and answered questions.

Representative Robertson, supported by **Representative Elsenheimer**, moved to report **House Bill 6116** with recommendation.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

The **Chair** laid **House Bill 6050** before the committee.

HB 6050 Proos Family law; marriage and divorce; marriage ceremony fees; allow county board of commissioners to determine.

Representative Proos explained the intent of the bill and a proposed **Substitute (H-2)**.

Tom Hickson, representing the Michigan Association of Counties, testified in **support** of the bill.

Pat McCollough, representing the Michigan Probate Judges Association, testified in **support** of the proposed Substitute (H-2), and answered questions.

Representative Robertson, supported by **Representative Schuitmaker**, moved to adopt **Substitute (H-2)** to **House Bill 6050**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Nitz, supported by **Representative Vagnozzi**, moved to adopt the following amendment to **House Bill 6050 (H-2)**:

1. Amend page 1, line 14, after “**FEE**” by inserting “**THAT SHALL NOT EXCEED \$40.00**”.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Robertson, supported by **Representative Accavitti**, moved to report **House Bill 6050**, with recommendation, as **Substitute (H-3)**.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (10/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Chair Stakoe announced that, due to time constraints, the committee would not take up **House Bill 6105** at this time.

The **Chair** laid **Senate Bill 1120** before the committee.

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| SB 1120 | Goschka | Local government; public services; number of installments of special assessments authorized by cities, villages, townships, or county board of public works; increase to 40. |
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Tom Atkins, from the Office of Senator Goschka, explained the intent of the bill.

Jim Koski, representing the Saginaw County Public Works Department, testified in **support** of the bill.

Peggy Johnson, representing the Michigan Department of Treasury, submitted a testimony card in **support** of the bill, but did not wish to speak.

Representative Elsenheimer, supported by **Representative Schuitmaker**, moved to report **Senate Bill 1120** with recommendation.

FAVORABLE ROLL CALL:

YEAS: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Baxter, Schuitmaker, Accavitti, Donigan, Vagnozzi, Virgil Smith (11/11)

NAYS: None (0/11)

PASS: None (0/11)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

There being no further business to come before the committee, the **Chair** declared the meeting adjourned, the time being **10:21 a.m.**

Representative John Stakoe, Chair

Jean Hamelin, Committee Clerk
(517) 373-5632